

## JUSTICE THEODORE SOURIS: A TRIBUTE FROM THE MICHIGAN SUPREME COURT

Theodore Souris occupies a remarkable place in the history of the Michigan Supreme Court. As the Court mourns him, we also remember and celebrate his contributions to this Court and to the justice system.

Justice Souris' career on the Court is notable for "firsts": he was the first person of Greek descent to serve on the court, indeed on any state's highest appellate court, and was also the youngest person, at age 34, to become a Michigan Supreme Court Justice.

What is less well known is that the end of Justice Souris' term on the Court was also the end of an era in Michigan legal history. When Justice Souris joined the Court in 1960, after being appointed by Gov. G. Mennen Williams, the Court was composed of eight Justices. The 1963 Constitution, which took effect in 1965, provided that the Court would consist of seven Justices. However, the eight Justices remained in place, pending the retirement, departure or death of a Justice, who would then not be replaced. Justice Souris concluded his term in 1968, marking the end of the eight-Justice Court. So Justice Souris stands alone in Michigan history as the only Justice who has literally never been replaced.

More importantly, Justice Souris was both a fine lawyer and a superb jurist, deeply committed to the rule of law. Principled and articulate, he did not hesitate to defend constitutional ideals. In 1990, he told an interviewer that the Supreme Court's function "was to determine what the legislature intended by the language it used. When we started substituting our own notions for what the legislature intended, then we were over-stepping our bounds, and I was frequently critical of the court for doing that."

In private practice before and after his judicial service, Justice Souris had a highly successful and distinguished career, concentrating primarily on business law. At age 26, just two years after graduating from the University of Michigan Law School, he was appointed general counsel to Philip A. Hart, then the director of the Office of Price Stabilization for Michigan and later United States Senator from Michigan. He served as the first Chairman of the State Board of Canvassers from 1954 to 1959 and as a member of the State Board of Ethics from 1974 to 1984. His client list reads like a "Who's Who" of American business: Ford Motor Company, Kmart Corporation, General Motors, Chase Manhattan Bank, Martin Marietta. But his clients were not limited to corporations. In 1987 and 1988, Justice Souris represented the Episcopal Church, Diocese of Michigan, in litigation against Comerica Bank and a prominent Detroit lawyer for breach of fiduciary duty. The Church recovered its claim in full. For these clients, and many others, Justice Souris was a true advocate and counselor.

Although he was no longer a Justice, Justice Souris also continued his service to the Michigan Supreme Court. At a time when the integrity of the state's attorney discipline system was beset by allegations of impropriety, this Court entrusted to Justice Souris the task of investigating the Attorney Grievance Commission. The reforms he recommended in 1990 are in place today. This Court has placed in his hands other sensitive and difficult projects, and he fully justified the Court's trust in him, and its respect for his abilities.

As the Court remembers Justice Souris, we are thankful for his legacy of moral clarity, legal scholarship, and dedication to the rule of law. He is truly one Justice who will never be replaced.

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